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SUMMARY RECORD OF THE 26th MEETING

Chairman:	Mr. KHOUINI	(Tunisia)
later:	Mr. AL-SAIDI (Vice-Chairman)	(Yemen)

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The meeting was called to order at 10.25 a.m.

AGENDA ITEM 74: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES (continued) (A/47/76, 262, 509; A/SPC/47/L.25, L.26, L.27, L.28, L.29, L.30 and L.31)

1. The CHAIRMAN announced that India had become a sponsor of draft resolutions C, D and E contained in documents A/SPC/47/L.27, L.28 and L.29.

2. Mr. SHAHEED (Syrian Arab Republic) said that, as pointed out in the letter of transmittal of the Special Committee's report on Israeli practices (A/47/509), occupation itself engendered a situation where human rights violations would occur. Reviewing the letter of transmittal and the report itself, especially paragraphs 791-794, he said that Israel continued to impose its laws, jurisdiction and administration on the occupied territories in violation of the fourth Geneva Convention, claiming that certain territories that it had occupied since 1967 constituted a part of the State of Israel, a claim that had been refuted unanimously by the international community.

3. The intensification of Israeli settlement activity and related measures such as the diversion of water resources, the uprooting of olive and citrus trees, the destruction of fields, the expropriation of land and others, indicated a will on the part of the Israeli authorities to modify the demographic composition of the occupied territories by inducing Palestinians and the other Arab population of the territories to leave their homeland.

4. Despite statements by Israel concerning changes in its settlement policy, the Jerusalem Post had announced, on 18 June 1992, the imminent launching of a major campaign to attract new residents to the occupied Syrian Golan, following earlier declarations by former Prime Minister Shamir and Mr. Rabin that the region would be kept by Israel because of its strategic importance. The newspaper had subsequently reported, on 15 July 1992, that the new Minister of Housing had indicated the possible establishment of new "security" settlements in the occupied Syrian Golan and the Jordan Valley.

5. According to the report of the Secretary-General contained in document A/46/263, there had been a constant increase in the number of Israeli settlers in the occupied Syrian Golan. Since the occupation of that area, the occupying authorities had established 20 settlements and built a number of factories and research centres; moreover, the inhabitants of the area were required to ask for permission even to collect rainwater.

6. The Arab inhabitants of the occupied Syrian Golan had been forced to demolish some of their own reservoirs, and the Israeli army had dynamited a number of others (A/47/294). Only three or four reservoirs were currently authorized for use, out of approximately 400 that had been built in the occupied Syrian Golan, and Ram Lake, the largest body of water in the occupied Syrian Golan, had been seized by the Israeli authorities. As a result,

(Mr. Shaheed, Syrian Arab Republic)

villages in the occupied Syrian Golan had suffered a critical shortfall in drinking and irrigation water, while the water of Ram Lake had been diverted to Israeli settlements to satisfy the needs of the settlers and their agricultural and industrial projects.

7. The Commission on Human Rights, in its resolution 1992/1, had strongly condemned Israel, the occupying Power, for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, particularly Security Council resolution 497 (1981), and had condemned numerous Israeli practices in the occupied Syrian Golan.

8. The current year marked the tenth anniversary of the heroic Golan uprising of February 1982, and the struggle of the Arab inhabitants of the occupied Syrian Golan had in fact never ceased, despite Israel's tyrannical practices. The difficult conditions under which those inhabitants were living, in particular the deteriorating economic and social conditions and the repressive measures affecting education, could be understood from the statement addressed by the Ministry of Foreign Affairs of the Syrian Arab Republic to the Special Committee (A/47/255).

9. The situation faced by the Palestinian and other Arab populations during the reporting period and the continued deterioration of their living conditions still represented a serious threat to international peace and security.

10. The reason for the refusal of the Israeli occupying authorities to cooperate with the Special Committee and for their negative attitude towards the United Nations and its resolutions was that they did not wish to reveal the grave violations of international law involved in their repressive practices against the occupied Arab territories.

11. The tyrannical practices of the Israeli occupying authorities were not at all in keeping with the efforts being made to achieve peace in the Middle East based on the principles of the Charter of the United Nations, which meant complete withdrawal from the occupied Arab territories, including Jerusalem, and the guaranteeing of the national rights of the Palestinian people in accordance with United Nations resolutions.

12. Mr. ELARABY (Egypt) said that, over a year after the current peace negotiations with Israel had begun, the latest report of the Special Committee to investigate Israeli practices affecting the human rights of the Palestinian people and other Arabs of the occupied territories (A/47/509) was still full of human rights violations and grave infractions of international instruments, in particular the fourth Geneva Convention. Israel's continued occupation of Arab territories was in itself the greatest human rights violation, and Israeli measures aimed at altering the demographic, economic and natural character of the occupied territories was detrimental to the peace process, which was aimed at ending the Israeli occupation and bringing about a just, lasting and comprehensive peace between the Arab countries and Israel in order

(Mr. Elaraby, Egypt)

to enable the Palestinian people to exercise its legitimate rights on its own territory, first and foremost of which was the right to self-determination.

13. The report had reiterated what was contained in the report of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and other relevant reports. The Israeli occupation authorities had continued to use indiscriminate violence to quell demonstrations and their use of live ammunition had resulted in numerous losses of life and severe injuries often leading to permanent incapacitation. There had been a deterioration of the economic, social and health conditions as a result of such Israeli measures as collective punishment, the demolition of houses and the use of curfews, as well as economic restrictions and limitations to the freedom of movement and work. Israeli measures had also hurt Palestinian educational institutions, thus affecting a whole generation of young Palestinians. There had been continued acts of aggression committed by Israeli settlers, and further new settlements had been built. Despite the declarations of the newly elected Government regarding curtailment of settlement activities, Israel still refused to comply with international law, which prohibited the building of settlements of any kind in any part of the occupied Arab territories. The report had also noted grave and multiple violations of the fourth Geneva Convention.

14. The new Israeli Government had taken limited positive steps to build confidence between it and the Palestinian people. However, if it wished to build real confidence it must refrain completely from all the practices noted in the report. He thanked the Special Committee for its report and appreciated its efforts to fulfil its mandate, which was made all the more difficult by Israel's lack of cooperation and its refusal to allow the Special Committee to visit the occupied territories, as well as by its prevention of Palestinians from leaving the occupied territories in order to appear before the Committee.

15. He still hoped that the current peace negotiations would be successful and would enable the occupied Arab territories to be liberated and the Palestinian people to exercise all of its legitimate rights. The United Nations was well placed to contribute to the peace efforts in the Middle East, and he hoped that it would be invited to participate in the multilateral negotiations on cooperation regarding such regional issues as the Palestine refugees. The United Nations could play a major role in peace-keeping and confidence-building, as well as providing protection to the Palestinians in the occupied territories in pursuance of various resolutions to that effect and, in particular, Security Council resolution 681 (1990). The Special Committee should be empowered to verify Israel's discharge of its duties and responsibilities as an occupying Power, as well as of any other commitments agreed to in the peace negotiations. His delegation therefore called for the mandate of the Committee to be renewed and hoped that its discussion of the agenda item under consideration at the next General Assembly would be an occasion to celebrate the advent of a comprehensive and just peace which would put an end to the suffering of the Palestinian people under occupation and in exile.

16. Mr. ZVONKO (Belarus) said that, while agenda items concerning issues of peace and security in the Middle East reflected some of the greatest and most deeply rooted conflicts in the world, the generally improving international situation had been accompanied by definite changes in the situation in the region. The Madrid meeting had marked a turning point in the history of the Middle East.

17. While Belarus believed that the new Government of Israel was sincere in its recent statements regarding its intention to seek new and practical approaches to problems in the Middle East, the extensive and well-documented report of the Special Committee (A/47/509) showed that the situation in the occupied territories remained extremely tense. All too often violence had claimed the lives of a large number of civilians including women, children and elderly people.

18. Turning to the conclusions of the report, he expressed his Government's profound concern regarding violations of fundamental human rights in the occupied territories, specifically, the rights enumerated in the fourth Geneva Convention, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as numerous resolutions of the United Nations and its specialized agencies. As the Special Committee's report had emphasized, the essential fact underlying the hardships of the people of the occupied territories was that the occupation itself was a violation of human rights. Belarus endorsed the Special Committee's conclusion that the steady deterioration of living conditions in the occupied territories represented a serious threat to international peace and stability. Belarus believed that regardless of the complexity of the issues involved, a comprehensive and final settlement to the problem of the occupied territories could and should be obtained. Madrid represented the beginning of a peaceful, though complex, stage of negotiations; it was now up to the world community to exert the greatest possible effort to encourage the continuation of the peace process.

19. For its part, Israel should offer concrete proof of its political will, strive once and for all to reject actions incompatible with international standards of human rights and, at the same time, remove the obstacles to a peaceful, comprehensive and final settlement of the Middle East crisis.

20. Mr. LOTFI (Islamic Republic of Iran) said that the reports of the Special Committee (A/47/76, 262 and 509) reflected a further deterioration of the human rights situation in the occupied territories. In the view of his delegation, the grave situation in the occupied territories was the result of a combination of factors, including the continuing occupation of Palestine by the Zionists as a result of their policy of annexation, restrictions on the fundamental and inalienable rights of the people of Palestine, the imposition of inhumane living conditions and the deterioration of the economic, social, educational and health conditions of the Palestinians. In that connection he drew attention to paragraph 92 of the most recent report (A/47/509) concerning the adverse impact on the living conditions of Palestinians of the

(Mr. Lotfi, Islamic Republic of Iran)

acceleration of Israeli settlement activity in response to a new wave of Jewish immigration from Eastern Europe and the former Soviet Union.

21. He also drew attention to the Secretary-General's report (A/47/294) which had noted that more than 52 per cent of the total land area of the West Bank, 42.3 per cent of the Gaza Strip and 69.4 per cent of the Golan Heights had been confiscated by the occupying authorities. Significantly, settlement development in the territories had been three times higher than the rate announced by the Israeli Minister of Housing.

22. As the Special Committee's report had made clear, during the period under review, the fundamental rights of Palestinians and other Arabs had been routinely violated by such measures as collective punishments and the systematic use of curfews; those violations of human rights compounded the hardships suffered by Palestinians as a result of the steady deterioration of economic, social and health conditions. Freedom of education had also been adversely affected by an increasingly restrictive identity-card regime for students in the West Bank and Gaza Strip, and limitations on the exercise of other fundamental rights such as freedom of movement inside and outside the territories had continued to have an adverse effect on the employment of Arab workers.

23. The report also presented statistics regarding the high rate of killings, arrests, detentions and ill-treatment of detainees in the territories. One particularly alarming aspect of the data was the significant increase in the number of casualties among children in the territories. According to paragraph 800 of the report, in the first four years of the intifadah, approximately 33 per cent of the Palestinians killed had been 17 years of age or under.

24. Furthermore, the situation with respect to detainees had continued to worsen. According to an estimate from the Palestine Human Rights Information Center, over 120,000 persons had been arrested and held for 24 hours since the beginning of the intifadah. According to testimony heard by the Special Committee, systematic torture and physical and psychological mistreatment of detainees had also been observed. A press release issued by the International Committee of the Red Cross (ICRC) strongly urged the occupying authorities to prohibit all forms of ill-treatment of Palestinian detainees under interrogation. In light of such conditions, the intifadah could be viewed quite clearly as the natural response of a nation which had lived under occupation and had suffered the ruthless attacks of occupying forces for over 40 years.

25. He expressed his delegation's appreciation to ICRC and UNRWA for creating better living conditions and reducing the suffering of Palestinians and other Arabs in the occupied territories.

(Mr. Lotfi, Islamic Republic of Iran)

26. He concluded by noting that a just and lasting solution to the issue of Palestine would be found in the restoration of all the inalienable rights of the Palestinian people, including the establishment of an independent State in the entire land of Palestine.

27. Mr. KUSHAIRI (Malaysia) said that the long list of Israeli repressive measures in violation of General Assembly and Security Council resolutions, the fourth Geneva Convention (1949) and norms of international law had been well catalogued in the Special Committee's reports and by other independent and impartial observers. Those measures entailed serious social, economic, educational and psychological consequences, and were among the consequences of the Israeli military occupation which in itself constituted a grave violation of international law.

28. The human rights situation of the Palestinians and other Arabs in the occupied territories remained a matter of concern to the international community, but a disquieting development was the continued increase in the number of casualties among women and children. It was time for the international community to take the necessary measures to ensure the physical protection and safety of the Palestinian people by having the United Nations monitor the situation. His delegation was also deeply concerned at the continued and intensified harassment by the Israeli authorities directed against educational institutions in the occupied territories. It condemned the systematic Israeli campaign of repression against and arbitrary closure of universities, schools and other educational institutions. The prolonged closure of schools and universities had now become one of the central pillars of the colonizing policy in the occupied territories. His delegation demanded that Israel immediately stop all actions that were hindering the effective operation of Palestinian educational institutions in the occupied territories.

29. The Palestinians and other Arabs in the occupied territories were not only deprived of their fundamental rights and freedoms but were facing new measures aimed at destroying their economy. His delegation strongly deplored Israeli practices of land confiscation, uprooting of trees, seizure of merchandise, closure of shops, expropriation and diversion of water and depletion of other Palestinian economic resources. The occupying Power's taxation policy, which imposed extremely heavy taxes on the Palestinians were another factor contributing to the further deterioration of their already difficult economic situation.

30. In addition to the harsh measures employed by the Israeli authorities against the Palestinians, they continued to harass the personnel of UNRWA in violation of the Agency's privileges and immunities. His delegation wished to reaffirm its appreciation of the invaluable work carried out by UNRWA under difficult and often dangerous circumstances and joined others in calling on Israel to desist from further acts of harassing and obstructing its work.

(Mr. Kushairi, Malaysia)

31. The issue of illegal Israeli settlement and land confiscation in the occupied territories, including Jerusalem, remained a matter of concern. To ensure the success of the current Middle East peace negotiations, the new Israeli Government should demonstrate its sincerity by freezing the construction of new settlements and halting the confiscation of land and other resources in the occupied territories. Any exceptions to that policy, even on so-called security grounds would add to the climate of distrust rather than help bring about the confidence-building that was needed to further the peace process.

32. The fact that a peace process was under way did not detract in any way from Israel's obligation to respect the fourth Geneva Convention and the relevant Security Council resolutions. His delegation urged the Security Council to implement its resolutions 672 (1990) and 681 (1990), which asked for action by the signatory States and by the Secretary-General to ensure observance of the Convention. It was regrettable that resolution 681 (1990) had not been fully implemented, in particular the provision requesting the Secretary-General to monitor the situation regarding Palestinian civilians under Israeli occupation and to keep the Security Council informed. His delegation looked forward to the report of the Secretary-General called for in paragraph 7 of resolution 681 (1990) and believed that the time had come for the General Assembly and the Security Council to consider sending United Nations observers to the occupied territories. It remained convinced that a comprehensive, just and lasting settlement of the Palestinian question could only be realized through total and unconditional withdrawal of Israeli forces from the Palestinian and Arab territories occupied since 1967, including Jerusalem. The current peace process would succeed only when the Israelis were truly committed to the principle of "land for peace" and moved quickly towards an interim period of self-government, to be followed by a process leading towards self-determination and finally the establishment of an independent Palestinian State.

33. Mr. AL-ZAYANI (Bahrain) regretted that the customary Israeli practices against the civilian population in the occupied territories still persisted, despite the implicit need for policy changes in view of the developments taking place on the political and diplomatic fronts. The Special Committee's report (A/47/509) reflected the extremely tense situation prevailing in those territories since the beginning of the intifadah: it referred to the heavy toll of civilian casualties caused by the indiscriminate use of violence by the Israeli authorities; to the hardships suffered by the population owing to the steadily deteriorating economic, social and health conditions, compounded by the resort to measures of collective punishment; and to the increasing climate of uncertainty and frustration caused by acts of aggression by Israeli settlers and Israel's annexation policy, which created more new settlements. In short, the Palestinian people and the Syrian Arabs in the Golan would continue to suffer and be deprived of their human rights and fundamental freedoms unless the occupation ended.

34. Mr. BISHR (United Arab Emirates), referring to the continued Israeli practices against the population in the occupied territories as catalogued in the Special Committee's report (A/47/509), said that Israel's flagrant violations of the fourth Geneva Convention showed its disdain for human dignity. The measures taken by the Israeli authorities aimed to alter the demographic structure in the occupied territories by causing Palestinians and other Arabs to leave. Moreover, according to recent Israeli newspaper reports, settlements were now being established at three times the previous rate, while large areas of Arab village land had been confiscated by the Israel Defence Forces. Israel continued to violate the fourth Geneva Convention and ignore the relevant provisions of the main human rights instruments. The international community should therefore rise to the challenge thus presented by urging Israel to comply with the Convention. In order to guarantee that compliance, all States parties should agree to the proposal, contained in Security Council resolution 681 (1990) and supported by his country, to the effect that the parties to the Convention should meet to discuss possible measures to be taken under the Convention.

35. Mr. OULD MOHAMED MAHMOUD (Mauritania), speaking on behalf of the Arab Maghreb Union (AMU), said that the information contained in the Special Committee's report showed no discernible improvement in the conditions of Palestinians and other Arabs in the occupied territories. Indeed, tension continued to prevail and had become particularly acute following the outbreak of the intifadah.

36. While the opening of the Madrid Peace Conference and the election of a new, more pragmatic Israeli administration had revived hopes for a fair settlement for the Palestinians and a comprehensive Middle East peace, those hopes remained to be realized. Israel continued to obstruct the work of the Committee by preventing it from effectively fulfilling its mandate. Moreover, Palestinians and other Arabs in the occupied territories continued to live under extremely precarious conditions. The fundamental rights of Palestinians and other Arabs continued to be violated on a daily basis by the occupation forces. In flagrant violation of article 49 of the fourth Geneva Convention, Israel continued to expel Palestinian citizens. In that connection, he drew attention to the statement in the report that Israel had expelled six Palestinian students to Jordan following the five-day siege of Al-Najah National University in Nablus. Against the background of the Prime Minister of Israel's statement of 24 August 1992 regarding Israel's intention to abolish completely the sentence of expulsion, the Government's expulsion of the students was particularly symbolic. Furthermore, world attention had lately been focused once again on the continuing deterioration of conditions of detention of Palestinian political prisoners. He noted that since the outbreak of the intifadah, more than 28 Palestinians had died in detention.

37. While freedom of the press and freedom of information remained non-existent in the occupied territories, in Jeruslaem they were subject to constant challenge. For example, on 9 July 1992, the Israeli High Court of

(Mr. Ould Mohamed Mahmoud, Mauritania)

Justice had refused to grant a licence to the newspaper Al-Wafa. In addition, the many examples of repression enumerated in the Committee's report provided a graphic illustration of the bleak situation currently prevailing in the territories. The repression had affected thousands of Palestinians - including a large number of children - who had been detained, imprisoned or sometimes simply beaten.

38. Further, despite the international community's condemnation of the practice of establishing settlements in the occupied territories, no outright ban on that practice had been implemented. The distinction which the new Israeli administration had drawn between "political settlements" and "security settlements" - in addition to being illegal and arbitrary - proved that Israel had not completely rejected its settlement policy. Such actions not only threatened the legitimate rights of the Palestinian people, but also constituted a threat to the peace and security of the entire region.

39. Israel continued to defy Security Council resolutions, General Assembly resolutions and international human rights conventions, in particular the fourth Geneva Convention. Its current negotiating position ignored the sense and even the explicit wording of resolutions 242 (1967) and 338 (1973) which were the foundations on which the peace negotiations had been based.

40. The AMU member States remained deeply concerned about the situation prevailing in Palestine and in the occupied Arab territories. In their opinion, in order to avoid further deterioration of the already grave situation in the occupied territories, the international community should take further steps to induce Israel to desist from practices which violated human rights. In addition, participants at the Peace Conference should redouble their efforts to put an end to the occupation, which remained the most prominent human rights violation in the region. At a time when the world was witnessing an evolution in the direction of greater respect for human rights and freedoms, the world community should intensify its efforts to bring Israel into compliance with the applicable United Nations resolutions and to recognize explicitly the legitimate and inalienable rights of the Palestinian people.

41. He concluded by reaffirming the support of the AMU member States for the Palestinian people in its struggle - under the leadership of its sole legitimate representative, the Palestine Liberation Organization (PLO) - to regain its dignity and to establish its own independent and sovereign State.

42. Mr. AL-SAIDI (Yemen), Vice-Chairman, took the Chair.

43. Mr. JAYA (Brunei Darussalam) said that his Government felt compelled once again to state its profound disappointment with continued Israeli violation of the human rights of the Palestinian people in the occupied territories. Brunei felt nothing but sympathy for the families of the large numbers of Palestinians who - as shown in the report - had been killed, either by Israeli troops or Israeli civilians.

(Mr. Jaya, Brunei Darussalam)

44. Brunei noted with great concern the Special Committee's reports regarding harassment and physical ill-treatment suffered by Palestinian civilians and detainees, as well as the continuing policy of collective punishment through the demolition or sealing-up of the houses of suspected offenders, the imposition of curfews and the closing-off of areas upon suspicion of anti-Israeli activities. In addition, Palestinian youths were being deprived of their fundamental rights to an education as a result of the frequent closures of schools and universities on the pretext that students had been involved in intifadah activities. The disturbances caused by frequent closure orders had undoubtedly affected the academic performance of Palestinian youth.

45. Brunei viewed the continued Israeli violation of the fundamental human rights of the Palestinian people as an effort to repress the intifadah, which was an expression of the national will and determination of the Palestinian people to remain in their homeland and to attain their inalienable rights.

46. His delegation deplored the Israeli settlement policy which was aimed at confiscating Palestinian land and changing the demographic composition of the territories. His Government considered the policy of resettling Jewish citizens and new immigrants in the occupied territories as an unprecedented threat to the future of Palestinian political rights and resources, particularly land and water. Although Israel had recently cancelled some contracts for new construction in the occupied Palestinian and Arab territories, it had not yet committed itself to a total halt to settlement activites in the territories. His Government believed that a partial freeze on settlements was not enough and that Israel should commit itself to a total halt of settlement activities in the occupied territories as those activities were a violation of the principles of the United Nations and the fourth Geneva Convention. In addition, there was reason for concern with respect to Israel's decision to allow Jewish settlers in the occupied territories to establish their own armed police units. Those units had created tensions between the settlers and the Palestinians.

47. Brunei welcomed the convening of the Madrid Conference and the subsequent bilateral talks between the parties in Washington. He expressed his delegation's earnest hope that the talks would eventually lead to a comprehensive settlement of the Arab-Israeli conflict in the Middle East. Brunei saw Israel's readiness to grant autonomy or self-rule to the Palestinians as an encouraging sign and hoped that it would be a step towards the eventual granting of self-determination, independence and sovereign statehood. He reiterated his Government's support for the struggle of the Palestinian people - under the leadership of the PLO, who Brunei recognized as the sole legitimate representative of the Palestinian people - to realize their inalienable right to self-determination, independence and sovereign statehood in their own homeland.

48. He shared the view of the international community that peace would come to the Middle East only when the core problem of Palestine was resolved. His

(Mr. Jaya, Brunei Darussalam)

delegation therefore reiterated its call to the Israelis to abide by all relevant United Nations resolutions, including Security Council resolutions 242 (1967) and 338 (1973), and urged the international community to continue to exercise its influence towards convincing the Israeli administration to accept all the relevant United Nations resolutions. The provision of political, military and economic support had made Israel only more intransigent and defiant of the wishes of the international community.

The meeting rose at 11.50 a.m.